

Sept 18

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of: John E. Sims et al.

Docket No. 3086-A

Serial No.: 09/981,421

Art Unit: 1632

Filing Date: October 17, 2001

Examiner: Unknown

For: METHODS FOR TREATING IL-18 MEDIATED DISORDERS

BOX MISSING PARTS

Assistant Commissioner for Patents

Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF AN APPLICATION

In response to the Notice to File Missing Parts of Nonprovisional Application (mailed November 19, 2001), Applicants submit a copy of the executed Declaration of Inventor and Statement Under 37 C.F.R. 3.73(b) and Power of Attorney by Assignee (along with a copy of the Assignment which is being filed for recordation by the United States Patent and Trademark Office. Applicants hereby authorize the Commissioner to charge the required surcharge of \$130 to Deposit Account No. 09-0089. A copy of this paper is enclosed for that purpose, along with a copy of the Formalities Letter.

Applicants hereby authorize the charging of any fee required for the filing of the enclosed documents, even if different from that calculated above, or crediting of any overpayment, to Deposit Account No. 09-0089.

Respectfully submitted,

Kathleen Fowler
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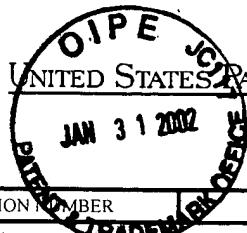
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231, on the date indicated below.

Date: January 18, 2002

Signed: Kathleen F. Prindle

Kathleen F. Prindle



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/981,421	10/17/2001	John E. Sims	3086-A

22932
IMMUNEX CORPORATION
LAW DEPARTMENT
51 UNIVERSITY STREET
SEATTLE, WA 98101

CONFIRMATION NO. 6827

FORMALITIES LETTER



OC000000007085036

Date Mailed: 11/19/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

02/04/2002 TGEDAMU1 00000123 090089 09981421

01 FC:122

130.00 CR

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Actual filing date: 02/13/2002 YGIZAW
02/04/2002 TGEDAMU1 00000123 090089 09981421
01 FC:122 130.00 CR

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.**

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **3B** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b).** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing

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date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.*, the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

A copy of this notice MUST be returned with the reply.



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE